

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LIFESTYLE COMMUNITIES, LTD., et al.) CASE NO. 2:22-cv-01775-SDM-EPD
)
) JUDGE SARAH D. MORRISON
Plaintiffs)
) MAGISTRATE JUDGE ELIZABETH
v.) PRESTON DEAVERS
)
CITY OF WORTHINGTON, OHIO) <u>DEFENDANT CITY OF</u>
) <u>WORTHINGTON, OHIO'S MOTION</u>
Defendant) <u>FOR LEAVE OF COURT TO FILE ITS</u>
) <u>COMPLYING REPLY BRIEF,</u>
) <u>INSTANTER</u>

As the Court is aware, Defendant City of Worthington, Ohio filed a Reply Brief [ECF Doc #: 25] on July 1, 2022, that exceeded the 10 page length limitation contained in this Court's Standing Order No. 10. Recognizing the oversight, the undersigned counsel conferred with Plaintiffs' counsel and obtained their consent to the filing of the subject Motion for Leave to File Its Complying Reply Brief, *Instanter*.

The attached Reply Brief in response to Plaintiffs' Opposition to the Motion to Dismiss is attached hereto and complies with the 10 page limit set forth in this Court's Standing Order No. 10. As noted, per Local Rule 7.3, undersigned counsel contacted opposing counsel, who provided their consent to the filing of this Motion. Accordingly, Defendant respectfully moves this Court for leave to accept the attached complying Reply Brief, *Instanter*.

Respectfully submitted,

/s/ Richard J. Silk, Jr.

PAUL J. SCHUMACHER (0014370)

Dickie, McCamey & Chilcote, P.C.
600 Superior Avenue East
Fifth Third Center, Suite 2330
Cleveland, Ohio 44114
216.685.1827 – Telephone
888.811.7144 – Facsimile
pschumacher@dmclaw.com

RICHARD J. SILK, JR. (0074111)

Dickie, McCamey & Chilcote, P.C.
250 Civic Center Drive, Suite 280
Columbus, Ohio 43215
614.258.6000 – Telephone
888.811.7144 – Facsimile
rsilk@dmclaw.com

YAZAN S. ASHRAWI (0089565)

JEREMY M. GRAYEM (0072402)

THADDEUS M. BOGGS (0089231)

Frost Brown Todd, LLC
10 W. Broad Street, Suite 2300
Columbus, Ohio 43215
614.464.1221 – Telephone
614.464.1737 – Facsimile
yashrawi@fbtlaw.com
jgrayem@fbtlaw.com
tboggs@fbtlaw.com

**Attorneys for Defendant
City of Worthington, Ohio**

CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2022, the foregoing Motion of Defendant City of Worthington, Ohio for Leave of Court to File Its Complying Reply Brief, *Instanter* was filed. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Richard J. Silk, Jr.

RICHARD J. SILK, JR. (0074111)
Attorney for Defendant
City of Worthington, Ohio